

**NOTICE OF REMOVAL.**—The Office of this JOURNAL and of the WEEKLY REPORTER is now at 12, Cook's-court, Carey-street, W.C.

**NOTICE.**—The first number of Vol. 15 of the Solicitors' Journal, and of Vol. 19 of the Weekly Reporter, will be published Nov. 5.

The Subscription to the SOLICITORS' JOURNAL is—Town, 26s., Country 28s.; with the WEEKLY REPORTER, 52s. Payment in advance includes Double Numbers and Postage. Subscribers can have their Volumes bound at the Office—cloth, 2s. 6d., half law calf, 4s. 6d.

All Letters intended for publication in the "Solicitors' Journal" must be authenticated by the name of the writer, though not necessarily for publication.

## The Solicitors' Journal.

LONDON, OCTOBER 22, 1870.

THE ANNUAL PROVINCIAL MEETING of the Metropolitan and Provincial Law Association has just taken place at Bristol, commencing in the Law Library in the Assize Courts on Monday, the 11th inst., Mr. J. F. Beever, of Manchester (the chairman), presiding. As might have been anticipated from the foretaste which we gave our readers a few weeks ago, some very interesting papers were read, which in due time we shall, in accordance with our custom, publish in the *Solicitor's Journal*. We regret that the press of matter which inevitably attends the close of a volume obliges us to postpone our report of the chairman's speech and the proceedings at the meeting. An account of the half-yearly general meeting of the Solicitors' Benevolent Association, held at the same time and place, will be found in another column.

CONSIDERABLE DISCUSSION HAS LATELY TAKEN PLACE in the newspapers upon a point which we noticed some months ago (*ante*, p. 703)—viz., as to the costs of a debtor's summons where the debtor pays the debt. Mr. Registrar Murray decided last June that in such a case the creditor is not entitled to costs, and the point is now being discussed afresh, in consequence, we suppose, of Mr. Murray's decision having been followed in some later case. Nearly all who write to our contemporaries argue that the decision is wrong, and against the intention of the Bankruptcy Act, 1869, but a little consideration will show that the decision is right, and in accordance with the intention and object of the statute. The debtor's summons was not meant to be a means of collecting debts, but a test of solvency. If the creditor had recovered the debt by the ordinary procedure of suing, costs would have followed the event, i.e., the debtor would have got them. But by taking out a debtor's summons, the creditor elects to try the issue of the debtor's solvency or insolvency, and that issue being by the debtor's payment decided in favour of the debtor, the creditor has to pay the costs, which thus again follow the event.

A VERY HIGH COMPLIMENT is paid to English neutrality when each belligerent accuses us of favouring the other. The rules of international law imposed upon England no obligation to place any restraint upon the trade of her subjects, and had she in the absence of any obligation exercised a merely voluntary interference, the belligerent to whose disadvantage the restraint operated would have had a fair cause of complaint against her. Neutrality must in the nature of things affect belligerents differently, according to the nature of their respective situation and wants; but whatever may be the practical inconvenience occasioned to either belligerent, neither can complain of an inconvenience resulting from strict passiveness. On the other hand if a voluntary movement pressed unevenly, as it must inevitably do, the party incommoded would have a legitimate grievance; and the misapprehension,

if there really be any, which leads Germans to complain of the export of arms by English subjects to France, must arise from their inability or refusal to remember that the English Government is passive and not active in the matter. The misconception may be natural enough in individuals at a time of great popular excitement, but one can hardly conceive it as really existing in Governments and their representatives. The English Government, as a neutral, remains passive, imposing no restraint on the activity of her individual subjects in various branches of trade. If it happens that this passiveness has an unequal operation, that furnishes no ground of complaint. If it is not the duty of the neutral to interfere, the effect of her not interfering is not open to discussion. Where she interferes gratuitously she is responsible to the party injured thereby.

But though there is no question that the neutrality of England has been complete and *bonâ fide*, there may be a question whether the international rule of non-interference with trade should not be revised. Lord Penzance has written a letter to the *Times*, in which he maintains strongly that the existing state of things is the best. He says:—"Where will you draw the line? If you prohibit the exportation of arms and gunpowder, how about other commodities which may happen to be part of the sinews of war? How about all the things *ancipitis usus*? But the matter goes further than this. If it be carried to this length, will not the demands on neutrality be pushed further? Why, the very general trade of a belligerent furnishes her with wealth, without which no power can carry on war. For what other reason did the Northern States of America desire to stop the cotton trade of the South?"—To this argument the *Times* replies:—"Surely Lord Penzance as an able judge ought to know that 'where will you draw the line' is one of the most plausible and pernicious of logical processes. There is no department of law in which distinctions far slighter than those between munitions of war and commodities *ancipitis usus* are not daily acted upon."

It is sufficiently plain that if the rule is to be altered it can only be done by specifying distinctly articles of direct munition, such as arms and powder; and that to attempt any restraint on traffic in things *ancipitis usus* would be utterly unreasonable, and could only lead to confusion and strife. It would be quite possible to draw such a hard and fast line, and only in that manner ought any alteration to be made. Certain articles must be distinctly specified, and it must be understood that as to anything not included in the list, affairs remain as before. Only by drawing a very rigid and clear line of demarcation will it be possible to avoid a confusion, which might very possibly result in grafting new wars on the old ones.

Admitting, then, that to require a veto on the export of arms is to require what is perfectly feasible, is it really expedient that any modification should be made in existing requirements? Of course, no change can be made till the present war is over; a movement now would involve a breach of neutrality. But more than this, if any movement is ever to be made, it ought to be an international movement and not an alteration of her municipal law by a solitary nation. An international congress should resolve that in future neutrals should be expected to restrain their subjects' trade in certain specified articles, and it would then become the duty of each power to provide in its municipal law the means of enforcing such a restriction. More than this cannot be done, but this much certainly can be done if the great powers agree: Yet we think those over sanguine who anticipate that any such change would make the position of a neutral an easier one than it is now, or prevent her incurring the ill-will of the belligerents. It is almost impossible that any neutrality which is worth the name should not give offence to excited belligerents. Each will still believe in her heart that the neutral whose support she would most have coveted ought not to have been a neutral, but ought to have been on her side. You can never remove that rock of offence which is at the bottom of the whole.

You may take away one set of pretexts, or place it in the power of neutrals to do so, but you will open others or you will find that others will be open. If you require neutrals to stop the export of arms you cannot compel belligerents to believe that they comply with proper vigilance. If any alteration is to be made it must be made by drawing a hard, sharp line, but we are not sure that it is expedient to make any.

## JUDICIAL STATISTICS, 1869.

## PART II.

The return made by the Queen's Coroner and Attorney and the Master of the Crown Office shows that under the peculiar jurisdiction of the Crown side of the Court of Queen's Bench there was but little difference in the amount of business transacted in 1869 from that of 1868.

In the three superior courts of common law the number of writs of summons issued was 81,778; in 1868 the number issued was 82,876, and in 1867 127,222. The decrease, therefore, in this portion of the business of the three superior courts is sufficiently apparent to be beyond a doubt; but if this were not the case we find that 27,549 appearances were entered as compared with 28,747 in 1868. The judgments were 30,152 as against 30,451, and the executions issued were 23,679 as against 23,111 in 1868; but this increase in proceedings of a subsequent stage cannot be estimated as an increase of the work of the courts when the numbers are compared with those of 1867, in which latter year the judgments were 41,704 and the executions 29,283. The total amount of fees received in all the courts was £68,992 9s. 6d.; the amount in 1868 was £59,382 0s. 6d., and in 1867 it was £80,429 19s. 6d.

The number of bills of costs taxed in the Court of Exchequer in 1869, exclusive of bills taxed under the statute, was 4,521 against 4,971 in 1868, and 8,930 in 1867. No return is given under this head for the Court of Queen's Bench or for the Court of Common Pleas for 1869.

According to a return furnished by the Master of the Court of Common Pleas it appears that the number of election petitions presented to the Court in the year 1869 under the "Parliamentary Elections Act, 1868," was 74; and the results were as follows:—

Elections declared valid	...	...	28
" " void	...	...	13
Petitions withdrawn by judge's order	...	...	25
" filed, but no security given	...	...	7
" in which proceedings were stayed by rule of court...	...	...	1

74

The total amount of the bills of costs on these petitions was £38,113 15s. 2d., of which sum £17,534 7s. 4d. was taxed off.

The returns of the associates of the three Superior Courts of Common Law and of the Clerks of Assize and the Clerks of the Crown with regard to the courts at Westminster show that the number of remanets from 1868 was 318 as against 379 from the previous year, and 480 from 1866. At Westminster 2,810 cases were entered for trial, and at Nisi Prius 1,376, being a decrease from the numbers of 1868. Of the Nisi Prius cases 911 were tried, 431 were withdrawn or struck out, and 34 were made remanets. At Westminster 1,067 cases were defended, 356 were undefended, 1,407 were withdrawn or struck out, and 298 were made remanets. In all these numbers a considerable decrease from those of the previous year is shown. Besides the cases already mentioned there were entered for trial 39 causes from the Common Pleas of Lancaster, 3 from the Common Pleas of Durham, and 3 from the Court of Probate, of which numbers 34 were tried. In the preceding year the number of causes entered was 58 from the Common Pleas of Lancaster, 3 from the Common Pleas of Durham, and 5 from the Court of Probate.

The return of the judgments entered up in the offices of the respective courts shows that they numbered 30,152, being 299 less than in 1868.

There were tried at Westminster and on circuit 2,844 causes, being 88 less than in 1868. In these cases the verdict was for the plaintiff in 1,964 instances, and in 303 for the defendant; the jury in 26 cases was discharged without giving a verdict, and in 94 a juror was withdrawn; in 86 cases the plaintiff was nonsuited, and in 371 there was a *stet processus*, the venue was changed or the record was withdrawn. The number of causes being less, the amount recovered was less in 1869 than in 1868, the sums being in the former year £455,594, and in the latter £550,966. The number of executions under writs of *fieri facias* was 14,769, of *capias ad satisfaciendum* 8,223, of possession 500, of *elegit* 104, of *celegi facias* 75, and of *capias utlagatum* 8.

The total number of executions was 23,679, as against 23,111 in 1868. Rules for a new trial were refused in 91 cases, and rules *nisi* were granted in 236; in 108 cases rules absolute were granted, and in 87 refused; and in three cases the court was divided. These numbers all exhibit a decrease from those of 1868.

To the 81,778 actions commenced by writ of summons, 27,549 appearances, as before stated, were entered; it is therefore to be inferred that in the 54,228 remaining cases no step was taken towards a defence. Of the 27,549 cases in which appearances were entered, 4,186, or 15.1 per cent. only were entered for trial; and of these only 2,334, or 55.7 per cent., were brought to trial; and in 356 of the number brought to trial the cases were undefended. The number of trials was 2.8 per cent of the number of writs issued; in the preceding year the proportion was 2.9 per cent.

In judges chambers 55,826 summonses were issued in 1869, as against 57,531 in 1868; in other proceedings in judges chambers there appears to be a slight increase in the numbers.

From the return of proceedings in error it appears that, including remanets from the previous year, there were 63, of which number 44 were disposed of, and 19 were made remanets or stood for judgment. In 1868 the proceedings were 51; of these 41 were disposed of, and 10 were made remanets.

The total amount of the Sutors Fund of the three courts, including £70,231 0s. 4d. remaining from 1868, and £212,001 5s. paid in in 1869, was, up to the 1st of January, 1870, £282,232 5s. 4d., and of this amount £169,341 12s. 8d. was paid out during the year 1869, leaving, on the 1st of January, 1870, a balance of £112,890 12s. 8d., which is £42,659 12s. 4d. more than the balance on the 1st of January, 1869. The amount of fees received in stamps was, in the year ending the 31st of March, 1870, £91,598 11s. 5d., and in the year ending 31st of March, 1869, £94,097 16s. 2d., showing a decrease of £2,499 4s. 9d. in this item.

In the 59 county court circuits in England and Wales, the entire number of plaints entered in 1869 was 940,342, being 35,031 less than in 1868, and 1,546 less than in 1867. In the year 1868 the number of plaints entered was 33,485 more than in 1867, 102,827 more than in 1866, and 192,560 more than in 1865. The number of days of sitting for the whole of the circuits was 7,969. The average number of causes for each day of the sittings was 68.5, calculating the whole number of causes determined. The highest average number of causes determined in one court on each day of sitting was 169, and the lowest 28. During the year 545,973 causes were determined, of which 1,063 were with a jury, and 544,910 without a jury; 321,585 judgments were in favour of the plaintiff, besides 206,017 for the plaintiff by consent or on default; 9,646 were for the defendant, and there was a nonsuit in 8,725 cases. Judgment summonses were issued to the number of 120,062, and 67,367 were heard. Warrants of commitment were issued in 34,299 instances, and 9,709 debtors were imprisoned. The number of debtors imprisoned

was in the proportion of one for 95·8 of the number of plaintiffs entered, including the 595 cases from the superior courts; in 1868 the proportion was one for 101. The executions issued amounted in number to 179,791. The total amount for which plaintiffs were entered was £2,622,565; in the year 1868 the sum was £2,577,133. The amount recovered on the hearing was £1,326,901, and the costs recovered amounted to £60,274; in the previous year £1,823,006, and £58,619 costs were recovered. Fees on all proceedings in county courts amounted to £357,494, being £2,929 more than in 1868, the amount of fees in that year showing an average increase of £32,233 for each of the three previous years.

The year 1869 was the fourth year during which the equity jurisdiction has been exercised by the county courts, and the number of the proceedings under that special branch has shown an annual increase. Leaving out of the calculation the three months in the year 1866 during which the Act was first in operation, and which may be considered as exceptional, it appears that the equity business in the county courts was as follows for the years 1867, 1868 and 1869:—

	1867.	1868.	1869.
Total number of equitable suits or proceedings ...	613	679	750
Number of plaintiffs entered:—			
For administration of estates...	189	236	248
For the execution of trusts ...	48	54	54
For foreclosure or redemption, or for enforcing any charge or lien ...	112	104	120
For specific performance ...	105	87	115
For delivering up or cancelling any agreement for sale or purchase ...	9	8	10
For the dissolution or winding up of a partnership...	55	54	61
	518	543	608

Number of petitions or notices filed:—

	1867.	1868.	1869.
For the appointment or removal of trustees ...	35	30	33
For any other purpose under the Trustee Acts ...	28	55	43
For the maintenance or advancement of infants ...	11	15	12
For partitions ...	—	2	13
For injunctions ...	21	13	15
	95	115	116

The number of appeals to the Court of Chancery from county court decisions in equity was, in 1867, 8; in 1868, 6; and in 1869, 9. There is therefore shown a palpably gradual increase in the equity business transacted in the county courts under the Act of 28 & 29 Vict. c. 99.

Another special jurisdiction conferred on the county courts was that under the County Courts Admiralty Act, 1868. It appears that twenty-six county courts, besides the City of London Court, exercise this jurisdiction, under which, in the year 1869, the total number of admiralty proceedings was 462, in which the claims amounted to £40,753. The number of these cases set down in the returns as "pending," but which are supposed to be settled, is 103. There were 164 final decrees, and from 9 of these there was an appeal, and 12 cases were transferred to the High Court of Admiralty.

In the City of London Court, which is assimilated with the county courts, but for which separate returns are made, the number of plaintiffs entered was 16,301, as against 14,933 in 1868, and 11,739 in 1867. There were, besides these, 57 cases from the superior courts as against 78 in 1868. The amount of debts recovered on the hearing was £31,263, as against £27,786 in 1868, and £18,858 in 1867, the amounts for which plaintiffs were entered having been £69,508, £63,392, and £42,651 re-

spectively. In this court there is an undoubted annual increase in the business.

Equity proceedings in the City of London Court were on a limited scale, the total number of equity proceedings having been 16 in 1868, and 11 in 1869.

Only eighteen of the courts having local jurisdiction transacted any business in 1869. Under 31 & 32 Vict. c. 130 (Local), which came into operation on the 1st of January, 1869, the Manchester and Salford Courts were amalgamated under title of the Salford Hundred Court of Record. In the amalgamated court 8,301 writs were issued in 1869 for an aggregate amount of £111,723. In the preceding year the number of the proceedings in the two courts was 6,012 for an aggregate amount or £81,593. In the remaining courts the total number of plaintiffs entered in 1869 was 5,845 for an aggregate amount of £177,286, as against 6,091 plaintiffs for an aggregate amount of £182,320 in 1868. In eight of the courts mentioned in the return there were no proceedings in 1869, and in seven of the same courts there were none in 1868. In the Southwark Court of Record there were 7 plaintiffs in 1868 and none in 1869.

The number of actions entered in 1869 in the Lord Mayor's Court of London was 12,962, being 2,882 more than in 1868, and 6,878 more than in 1867.

In the Court of the Vice-Warden of the Stannaries there were 25 petitions in equity entered in 1869 as against 31 in 1868; there were 87 affidavits in equity filed as against 62 in 1868; there were 41 injunctions and interlocutory orders, 116 registrars summonses, orders, and certificates, and 17 registrars reports. In Devon there were no proceedings under the common law jurisdiction of this court, but in Cornwall there were 3 writs issued as against 4 in 1868. There were further 2 plaintiffs entered as against 5 in 1868. For the winding up of companies there were 26 petitions as against 15 in the previous year; 14 orders for winding up were made and 241 orders exclusive of winding up orders. The total amount of debts claimed and adjudicated on was £28,798 in 1869, £16,966 in 1868, and £119,608 in 1867.

The general return from the Court of Bankruptcy is for the year ending the 11th of October, 1869. The number of adjudications of bankruptcy was 10,396 in 1869, being 1,201 more than in 1868; in 5,804 cases the debts did not exceed £300. The total amount realised under the several bankrupts estates was £644,403 18s. 6d. In 1,695 bankruptcies there was a dividend, and in 7,346 there was no dividend; the corresponding numbers of the cases in 1868 were 1,714, and 6,489 respectively. In 953 cases the dividend declared was less than two shillings and sixpence in the pound, and in 1,581 it was less than ten shillings; in 114 cases it was above ten shillings, and only 38 bankrupts paid twenty shillings in the pound. The proportions of these numbers do not differ materially from those of 1868. There were 4,668 trusts deeds registered in 1869 as against 8,045 in 1868.

The bills taxed in the masters' office in 1869 numbered 5,277, being 410 more than in 1868, and 266 more than in 1867.

Appeals from bankruptcy decisions were 51 in 1869, 94 in 1868, and 74 in 1867.

Fees received by the messengers, including deposits applied to the payment of bills, amounted to £36,013 6s. 1d.; the payments amounted to £25,550 13s. 7d., leaving a surplus of £10,463 2s. 6d. The payments include the salaries of the messengers and their clerks.

Sums received by way of deposit amounted to £41,034 3s., and sums returned to £25,619 0s. 10d., leaving a balance of £15,515 9s. 4d.; in 1868 the deposits amounted to £33,411 9s. 2d.

The fees in bankruptcy received by the registrars of county courts amounted to £14,236 14s. 9d., and those received by the high bailiffs to £17,351 19s. 11d.

The whole of the preceding statements of bankruptcy returns, except where otherwise specified, relate to the

London District Court, the Country District Courts, and the county courts collectively.

The returns of the revenue and expenditure of the Court of Bankruptcy for the year 1869, show that the total receipts for the year amounted to £141,750 16s. 10d. as against £149,122 2s. 3d. in the previous year. The payments amounted to £124,753 6s. 3d., and an investment was made to the credit of the Chief Registrar's account to the amount of £15,000. In the four preceding years investments were made of £40,319 15s. 3d., £35,000, £15,000, and £30,000 respectively. The amount received by the Bank of England during the year was £723,519 18s. 8d., and the amount paid was £657,025 15s. 8d. The total balance of stock at the end of the year on the several different accounts was £1,907,961 10s. 8d., besides £75,000 in exchequer bills and £113,852 1s. 7d. cash, of which amounts £1,888,403 6s. 10d. stock and £31,107 19s. 6d. cash have been, in pursuance of the Act of 32 & 33 Vict. c. 91, s. 9, transferred to the Commissioners for the Reduction of the National Debt.

The payments made during the year for salaries amounted to £69,479 7s. 1d., and for retiring annuities to £12,234 7s. 4d., making a total of £81,713 14s. 5d., as against £90,132 9s. 9d. in 1868. The expenses were £14,785 6s. 6d., as against £14,577 16s. 11d. in 1868. The very slight increase in the bankruptcy business in 1869 is probably to be accounted for by the fact that the law on this subject was in a state of transition, and that therefore the business was influenced by the uncertainty thereby produced.

#### LEGISLATION OF THE YEAR.

**CAP. LX.—An Act to relieve brokers of the city of London from the supervision of the Court of Mayor and Aldermen of the said city.**

Up to the passing of this Act, brokers of the city of London, under certain Acts, of James I., Anne, and Geo. III., were, under the jurisdiction of the Court of the Mayor and Aldermen, and were required on admission to take an oath faithfully to perform the broker's function, and to find two sureties or deposit £1,000 stock as security, besides entering into their own bonds conditioned in £1,000. Each broker had also to pay £5 a-year. This control was complained of by the brokers, who objected to being saddled with payments and conditions from which their provincial brethren were free, and said moreover that they received no *quid pro quo* in the shape of public confidence, since the censorship of the Court of Mayor and Aldermen amounted to no real guarantee of trustworthiness. That court, when a complaint was made against one of its sworn brokers, had jurisdiction to hear the charge, and might, if the charge was proved, strike the broker off the list. The procedure was, immediately that a charge was made, to call on the accused to answer it; no compensation could be given for a frivolous charge, and the charge itself was a privileged communication. The purport of the new statute is—that it leaves to the city merely the £5 a-year and small fees on admission, and takes away all control, discretion, and jurisdiction whatever relating to the matter. The Court can, so far as it heretofore could, require brokers to be admitted, and that is all. Saving, of course, any pending proceedings, all the previously given bonds are annulled, and all sums of stock deposited revert to the depositors. The censorship provided by the new statute is this—that the Court of Mayor and Aldermen is to keep a list, and if any broker is convicted of felony or fraud, or if an equity, common law, or bankruptcy judge certifies in any action or suit, &c., that any broker ought to be disqualified, either altogether or for a time, the Court of Mayor and Aldermen is to remove his name accordingly. Thus, the only thing left to the Court of Mayor and Aldermen is some fees, and the duty of erasing a name on receiving instructions to do so.

**CAP. LXI.—An Act to amend the law relating to life assurance companies.**

The evils which have led to the passing of this Act—the wide-spread insolvency among insurance companies, and the reckless and unjust practice of amalgamation—are too well remembered to need recital. The Act endeavours to compel solvency, by requiring that every home company established after 9th August last, and every foreign company beginning life business in the United Kingdom after that date, shall deposit £20,000 in Chancery, not to be returned till the life assurance fund accumulated from premiums shall amount to £40,000. It further requires certain statements of assets and business, and certain actuarial reports and abstracts, to be deposited from time to time with the Board of Trade, and furnished on application to all shareholders and policyholders. The details of these, which are provided for in voluminous schedules, we need not discuss here, as they fall rather within the province of the actuary than of the lawyer. It has been, as we have before pointed out, a defect in the past system, that the policyholders have possessed no means of insight into or control over the working of the companies. The foregoing provisions are intended to give them the former. The Act also provides for the keeping of life or annuity business quite separate from any other business which the company may carry on.

Amalgamations or transfers of business are to be made only with the sanction of the Court of Chancery obtained on petition, notice to be given in the *Gazette*, and an abstract of the "material facts of the agreement," and copies of actuarial or other reports on which it is founded, to be sent, in cases of amalgamation to all policyholders of both companies, and in cases of transfer to all policyholders of the transferred company. The Court, after hearing the directors or anyone else whom it thinks entitled to be heard, may confirm the transaction "if it is satisfied that no sufficient objection to the arrangement has been established," but is not to sanction where one-tenth in amount of the policyholders dissent.

The Act provides pecuniary penalties on the companies for non-compliance with its requirements, and penalties of fine and imprisonment on any person signing any document required by the Act, if the same shall be false to his knowledge. It would be very difficult to prove a *scienter* in the latter case. There is no cognisance of defaults made by parties who prepare documents which they are not required to sign.

The 21st section deals with winding up. It is intended to remedy some deficiencies in the powers of the Court of Chancery, under the winding-up provisions of the Companies Act, 1862, which were disclosed by the well-known decision in the *European Assurance Company's case* (18 W. R. 9). In that case Vice-Chancellor James decided, in construing the 79th and 80th sections, that the Court can only wind up a company as "unable to pay its debts," when the company has been proved unable to pay debts then actually due and recoverable; and that under the "just and equitable clause" the Court can wind up only when the assets and existing liabilities are such as to make it reasonably certain that the existing and probable assets would be insufficient to meet the existing liabilities. The Vice-Chancellor here did not, as some supposed, disregard the liability on running policies; on the contrary, he expressly contemplated a balancing of the existing and probable assets against that liability; but he refused to consider the direction in which the concern was going by any recognition of future assurances which might be anticipated from the public. The present Act now provides that the Court may wind up a company on petition of one or more shareholders or policyholders (thus including the holder of a running policy), if it considers that the company is proved insolvent; and in determining that question "the Court shall take into account its contingent or prospective liability under policies, and annuity and other exist-

ing contracts." So far, therefore, this section simply confirms what Vice-Chancellor James had laid down; and proceeds further to bestow on holders of running policies a voice on the question of winding up.

There was another point in which the Vice-Chancellor's decision on the *European Company's case* was somewhat misunderstood. In estimating the value of the uncalled capital as an asset he did not lay down that the Court will not weigh the probability that only a certain percentage will be realisable; on the contrary, he expressly recognised the possibility of substantiating such an allegation by evidence of the insolvency of shareholders. But he did say that such an allegation was not, in his opinion on the case before him, substantiated by the fact that a past call had realised only five-sevenths of its amount. The new Act provides what seems a fair solution of this difficulty, by empowering the Court in such a case to adjourn the petition in order to see what the necessary call will actually produce. Certainly the delay will be very inconvenient to all parties, but this seems the best way out of the difficulty.

The Court is not to hear the petition till a security has been given for costs, and a *prima facie* case made out. This is aimed, of course, at the "wrecking petitions." By the 22nd section the Court is empowered, instead of winding up, to "reduce the amount of the contracts" of an insolvent company, upon such terms as it thinks fair. One can hardly speculate on the operation of this provision.

The Act has given to the holders of running policies the power to petition for a winding up if the company appears insolvent. Annuity holders are not included; the reason, we suppose, must be that the annuitant can proceed upon his debt, if any default is made of an insolvent. But we do not see why annuity holders should not have been included among the parties entitled to a voice on the question of amalgamation or transfer.

CAP. LXII.—*An Act to amend and extend the Acts relating to factories and workshops.*

The main object of this Act is to bring print works and bleaching and dyeing works more nearly under the same regulations as factories. The history of the legislation on this subject is rather curious. The original Factory Act of 1833 did not apply to such works in the first instance, nor did the Factory Act passed in 1844, but in that year a separate Act was passed for the regulation of print works, which applied also "incidentally," as it is called in the Act, to bleaching works. In 1850 and 1853 other Acts were passed for the regulation of factories, these again not applying to print works or bleaching works; and then in 1860 an Act was passed entitled "An Act to place the employment of women, young persons, and children in bleaching works and dyeing works under the regulations of the Factory Acts." By the 1st section the four Factory Acts mentioned were applied to bleaching works, but by the 9th section it was enacted that they should not apply to works within the Print Works Act of 1844. In 1864 another Factory Act passed not extending to print works, and in the same year another Act relating to bleaching and dyeing works. Then in 1867 came another Factory Acts Extension Act not extending either to factories to which the Act of 1844 related, or to print works or bleaching works. Besides these, the longer and more important Acts, there have been four or five other short Acts amending or extending the others in particular points. Now, in 1870 we have an Act, the object of which is declared by the preamble to be the extension of the Acts relating to factories to print works, and to bleaching and dyeing works. In fact, however, it is only the Act of 1867 which is so extended, and this with considerable modifications. It is needless to add that these Acts much want consolidating. The present Act is a small effort in that direction, as it repeals six of the previous Acts. At the same time it leaves this branch of the law in an unsatisfactory condition, as many Acts have still to be referred to in

order to become acquainted with all the enactments still in force upon the subject. With regard to the alterations made in the law, the Act itself and the schedules should be referred to by anyone who desires a knowledge of them. They are, in fact, too minute to be conveniently or accurately summarised. It will be sufficient for us to point out that the Secretary of State has ample powers of dispensing with or altering the regulations, in particular cases, on representation being made to him of any particular circumstances affecting the trade, temporarily or otherwise, and which it would seem are more likely to occur in these trades than in others. The new regulations do not come into force at all until January, 1871, and not completely till January, 1872.

CAP. LXV.—*An Act to amend the law relating to advertisements respecting stolen goods.*

Section 102 of the Larceny Act, 1861 (24 & 25 Vict. c. 96), enacts that whosoever publicly advertises for the return of stolen goods for reward without questions being asked, or otherwise advertises to that effect as in the section is specified, "or shall print or publish any such advertisement," shall forfeit the sum of £50 for every such offence to any person who will sue for the same.

The present statute has been passed to amend this section of the Larceny Act as to printers and publishers of newspapers. By section 2 "newspaper" is defined, and by section 3 actions against printers and publishers of newspapers under section 102 of the Larceny Act must be brought within six months after the forfeiture is incurred, and with the assent of the Attorney-General or Solicitor-General. Actions commenced before the passing of the Act may by section 4 be stayed in a summary manner on payment of costs.

It is to be noticed that the Act is much less extensive in its operation than the section which it amends. Section 102 of the Larceny Act applies to whoever advertises in a certain way and also to whoever shall print or publish such advertisements. The new statute only protects the "printers and publishers of newspapers." The title of the Act is "The Larceny (Advertisements) Act, 1870."

CAP. LXXVI.—*An Act to facilitate the arrest of absconding debtors.*

Up to the year 1869, as our readers are aware, the Superior Courts had power to arrest an absconding debtor after action brought. The county courts, subject to a minimum limit of claim, had power, acting as auxiliary to the Superior Courts, to detain the same debtor before action brought.

The Debtors Act, 1869, took away existing powers of arrest on mesne process, and in return it gave to the Superior Courts, and to them alone, certain powers of arrest which, to say nothing of their restrictions in other respects, can only be exercised after action brought.

The new Act enacts that the Court of Bankruptcy may cause a debtor to be arrested and safely kept until such time as the Court may order, if, after a debtor's summons has been granted, and before a petition of bankruptcy can be presented against him, it appear to the Court that there is probable reason for believing that he is about to go abroad with a view of avoiding payment of the debt for which the summons has been granted, or of avoiding service of a petition of bankruptcy, or of avoiding appearing to such petition, or of avoiding examination in respect of his affairs, or otherwise avoiding, delaying, or embarrassing proceedings in bankruptcy.

There can be no doubt that the increased difficulties since 1869 in the way of stopping the escape of absconding debtors has been a serious evil; and it is satisfactory to see any attempt to mitigate the evil. But it must be remembered that the value of any provisions for the arrest of absconding debtors depend chiefly on the promptitude with which they can be put in execution. And a power which can only be used after first going through the somewhat tedious preliminary of issuing a debtors

summons will, we greatly fear, be found of little practical utility.

CAP. LXXVII.—An Act to amend the laws relating to the qualifications, summoning, attendance and remuneration of special and common juries.

This Act was passed to remedy the grievances of which jurymen in London and Middlesex have so long complained, and to which we have so often drawn attention. We think it will fairly attain its object, but its practical working may depend much upon the rules which the judges are empowered to make in order to carry it out. These have not yet been published, and we shall, therefore, defer our remarks upon the details of the Act until they appear.

## RECENT DECISIONS.

### EQUITY.

#### MONEY LENDERS—"UNFAIR DEALING."

*Miller v. Cook*, V.C.S., 18 W. R. 1061.

The Sales of Reversions Act (31 & 32 Vict. c. 4) enacts that no purchase of a reversion, made *bonâ fide*, and without fraud or unfair dealing, shall be opened or set aside merely on the ground of undervalue. Before that Act the Court of Equity was compelled, by its own practice, to set aside any purchase of a reversion if the vendor proved to have received less than the market value, even though the transaction might have been perfectly open, and untainted by a suspicion of fraud. This practice being found inconvenient, the Act placed sales of reversions on the same footing as sales of anything else—as to which, as everyone knows, if a man is stupid or careless enough to neglect his own interest so far as to sell his property for an undervalue, it is his own fault, and no Court will help him; but "fraud or unfair dealing" will move the Court of Equity to set aside the transaction.

Now what is "fraud or unfair dealing?" It is unfair dealing if a money-lender exacts £60 per cent. for an advance made part in cash and part in works of art or curious wines to a young man just turned twenty-one. But does an advantage taken of a man's urgent need for money necessarily fall within the category of "unfair dealing" moving the Court to interfere? Perhaps a middle-aged *roué*, a "man of the world," is at his wit's end for money, and, rather than go without, agrees to pay the same exorbitant terms to a West-end money-lender. Is that a case in which the Court will help the man who has gone into the usurer's den with his eyes open? The disposition of the Court has been, in dealing with non-reversionary transactions before the Act, not to interfere in such a case. See, for instance, Vice-Chancellor Wood's remarks in *Tynte v. Beavan* (13 W. R. 172, 2 H. & M. 295), and those of Lord Chelmsford in *Webster v. Cook* (15 W. R. 1001). And as the Act is meant only to put reversionary transactions under the same rule as non-reversionary, it should follow that if an expectant heir or other person interested *in futuro*, old and experienced enough to take care of himself, binds himself by a usurious bargain with a money lender, the Court would not assist him merely because he was hard driven for money at the time. The only reported cases touching this point since the Act have been before Vice-Chancellor Stuart, who, although he had done justice upon the particular facts before him, has made rather a jumble of the law. In *Wyatt v. Cook* (16 W. R. 502), for instance, which was undoubtedly a case for the interference of the Court, the Vice-Chancellor announced his dissent from Lord Chelmsford's observations in *Webster v. Cooke*. This was entirely unnecessary, as the two cases were very different; in the latter the plaintiff was a middle-aged man, "fully capable of taking care of himself," while in the former he had only just come of age. In the present case the same Vice-Chancellor seems to adhere to his own line, and, as all the cases appear to come before him, it may be that he may create a rule of his own, that if

urgent need of money impelled the borrower to enter into the transaction with his eyes open, that is "unfair dealing," against which the Court will relieve. We have therefore again\* explained the bearings of the point somewhat at length.

In the present case the borrower had not long attained his majority, which would probably have induced any other judge to interfere in his favour. He was attended during his visits to the defendant by a friend, who was a solicitor, but the Vice-Chancellor considered the intervention of the friend unimportant, partly by reason of his advice being "founded on misunderstanding or misrepresentation," and partly because the necessity the borrower was under rendered such presence and advice a mere matter of form, he not being present in his professional capacity.

### COMMON LAW.

#### ACTION BY AUCTIONEER—PAYMENT TO PRINCIPAL.

*Grice v. Kenrick*, Q.B., 18 W. R. 1155.

It was decided as long ago as 1788, in *Williams v. Millington* (2 H. Bl. 81) that an auctioneer who sells goods by auction for a principal, may maintain an action for the price of the goods against the buyer, although the goods were sold upon the principal's premises, and were known to belong to the principal. The ground of the decision is that an auctioneer is something more than a mere agent. He is an agent to sell the goods, but in addition he is the person with whom the contract of sale is always understood to be made, whether or not the principal's name is known. The auctioneer has also an interest in the contract as he has a lien for his charges. As sales by auction are such well known methods of disposing of property, it must also be taken that the buyer knows that the auctioneer has an interest in the produce of the sales, and is not a mere hand to transfer the money to his principal. In *Robinson v. Rutter* (3 W. R. 405), which was an action by an auctioneer for the price of goods sold by him, a plea that the plaintiff was auctioneer and agent of one Kersey, and that the defendant had paid Kersey, was held bad on demurrer. Lord Campbell said, "As auctioneer the plaintiff must be supposed to have had a lien upon the price of the goods when paid for his commission and charges. It must be presumed that the plaintiff had a debt due to him from Kersey in respect of the sale, to be satisfied from the proceeds of the sale. The plea does not allege that this debt was paid nor show how the plaintiff had no longer a right to sue, nor aver that he had notice of the payment made to Kersey." In *Grice v. Kenrick*, which was also an action by an auctioneer for the price of goods sold by him, the conditions which were wanting in *Robinson v. Rutter* were supplied. The action came before the Court of Queen's Bench on appeal from a county court. One Weir had instructed the plaintiff to sell some goods by auction, and had agreed with the defendant, who was a creditor of Weir's, that the defendant should bid for some of the goods and that the price of such goods as were knocked down to him should be set off against his debt. Some of the goods were knocked down to the defendant, and he took them away, the auctioneer not being aware of the agreement and thinking that the defendant intended to pay him the price. There was no question of fraud in the matter. The plaintiff had no claim on Weir for charges, &c., as they had all been duly discharged by Weir, and if the plaintiff recovered in the action he would have had to pay the money over to Weir. Under those circumstances it was held that the plaintiff could not recover, and, of course, a plea stating such facts as these would be a good answer to a similar action in a superior court. A comparison of the cases of *Robinson v. Rutter* and *Grice v. Kenrick* will show how far the purchaser of goods at an auction can by payment to the principal discharge himself from liability to the auctioneer.

\* Vide 12 S. J. 670.

## REVIEWS.

*The Elementary Education Acts, 1870.* By HUGH OWEN, Jun., of the Middle Temple, Barrister-at-law. - London: Knight & Co.

This is a print of the late Act, with an introduction in which the provisions of the Act are recapitulated in the form of a summary of the procedure, &c. The subject is scarcely one which falls within our province, but as the print is furnished with annotations embodying cross references and explanations (including some legal citations), and an index, it will be serviceable to those who have to find their way about this new subject.

## COURTS.

## COURT OF BANKRUPTCY.

(Before Mr. Registrar ROCHE.)

Oct. 19.—Adjudication of bankruptcy was made this day against William Federan Nokes and George Carlisle, solicitors, of Finch-lane. The liabilities were stated at £20,000, and the assets spoken of as of inconsiderable value. In the first instance the debtors presented a petition for liquidation, but the proceedings had fallen through, and it was stated that on Thursday last the creditors resolved upon an administration of the estates in bankruptcy.

Messrs. G. and A. Lindo are the solicitors to the proceedings.

Notice was given of intention to apply for the dismissal of the petition.

The 3rd of November, at eleven, was appointed for the first meeting.

## COUNTY COURTS.

## BROMPTON.

(Before Sir E. WILMOT.)

Stamp—23 & 24 Vict. c. 15, s. 1.

Oct. 4.—*The Legal, Clerical, and Medical Co-operative Society (Limited) v. Haes.*

This was a motion for a new trial. The plaintiff's company was promoted about three or four years ago by Mr. J. Finlaison, a member of the bar, and others, and for the last two years had been winding up under supervision, Mr. Finlaison being the official liquidator. The defendant had held premises in the same building as the company, and under the same landlord, under an agreement, to which not only the landlord and defendant, but also the company, were parties, and whereby, after the ordinary demise and usual mutual agreements between lessor and lessee, the defendant further agreed with the company (*inter alia*) "to bear such proportion as to the directors may appear just of the cost of coals, gas, and water supplied to the building, of cleaning and watching." This agreement was stamped as a lease, and signed by the landlord and the company, as well as the defendant.

The defendant, having left the premises before the expiration of his term, and refused to bear any part of the expenses charged to him by the company on this account, the present action was brought to recover £5 4s. 4d. At the hearing, on the 29th of June last, it was objected that the above recited clause of the agreement, being wholly collateral to the demise from lessor to lessee, required a separate stamp, and that the lease stamp was insufficient.

On this ground a non suit was entered against the plaintiffs, and costs allowed to the defendant.

On motion for a new trial—

J. Finlaison, for the plaintiffs, argued that a stamp was only necessary where, at the time of entering into the contract, it could be proved that the subject-matter exceeded £5 in value. Here the value of the charges for coals, gas, &c., was quite uncertain at the time of making the contract, and did not in fact exceed £5 4s. 4d. He cited:—*The Stamp Act, 23 & 24 Vict. c. 15, s. 1; Hill v. Ramm, 5 M. & G. 789; Taylor v. Steel, 16 M. & W. 665; Feltham v. Cartwright, 7 Scott, 695; Liddiard v. Gale, 4 Ex. 816; Melanotte v. Teasdale, 13 M. & W. 216; Lloyd v. Mansel, 19 L. J. N. S. Q. B. 192; Rowland v. Lazarus, 1 F. & F. 466; Rex v. Inhabitants of Enderby, 2 B. & Ad. 205; Orford v. Cole, 2 Stark. 351; Cox v. Bailey, 6 M. & G. 193; and Brown v. Dawson, 12 A. & E. 624.*

Thomas, for the defendant, argued that the consideration

for the agreement was the yearly rent of £50, and therefore each part required a stamp.

Sir E. WILMOT said there could be no doubt that the consideration for this part of the contract, as between plaintiffs and defendant, was the value of the charges to be paid by the defendant, and this did not appear necessarily to exceed £5. The cases plainly showed that to bring an agreement within the Stamp Act, the amount must admit of being shown to exceed £5, and must therefore be ascertainable at the time of entering into the contract, when the stamp has to be affixed. In the present case that could not be shown, and therefore the previous nonsuit was erroneous.

Order for a new trial accordingly.

Finlaison asked for costs.

Sir E. WILMOT said that the present application would have been unnecessary had the cases been cited to him on the previous occasion. As the plaintiffs had thus occasioned the application, they must pay the defendant his costs of the day.

Solicitors for the plaintiffs, *Belfrage & Middleton.*

## APPOINTMENTS.

Mr. HENRY JEFFREYS BUSHBY, barrister-at-law, of the Home Circuit, and Recorder of Colchester, has been appointed a police magistrate for the metropolitan district, and will fill the vacant seat at the Worship-street Police Court. The new magistrate (who was born on the 4th of October, 1820) is a son of the late Henry Turner Bushby, Esq., a judge in the Madras Civil Service, by Lucy Anne, daughter of the late Thomas Jeffreys, Esq. He was educated at Eton, and afterwards at the East India Company's College at Haileybury, where he took the gold medals in classics, law, and political economy. In 1840 he was nominated to the Bengal Civil Service, and in the same year was appointed assistant to the Governor-General's agent for the Rajpoot States; he resigned the Indian service in 1843. On his return to England he studied for the legal profession, and was called to the bar at the Inner Temple in November, 1851. He joined the Home Circuit, practising also at the Herts and Essex sessions, and was appointed Recorder of Colchester in March, 1863. Mr. Bushby is the author of several works—namely, an "Election Manual," "A Month in the Camp before Sebastopol," and "Widow Burning." In November, 1862, he married Lady Frances North, younger daughter of the sixth Earl of Guilford, by which lady he has issue two sons and a daughter.

Mr. JAMES FOSTER WATSON, solicitor, of Liverpool, and assistant registrar of the county court, has been appointed by the judges of that court (Mr. J. K. Blair and Mr. Serjeant Wheeler) to be joint registrar with Mr. Hine; this joint registrarship is a newly created appointment. Mr. Watson was certificated in 1857, and was for some years in partnership with Mr. James Otley Watson, of Liverpool, until his appointment as assistant registrar of the Liverpool County Court.

Mr. CHARLES SAMUEL GOODMAN, solicitor, of Liverpool, has been appointed by the Bootle Town Council legal adviser to the Corporation of Bootle, one of the outlying townships of the borough of Liverpool. Mr. Goodman, who is a member of the Liverpool firm of Forshaw, Goodman, & Hawkins, was admitted in 1849, and was formerly law clerk to the Corporation of Southport, which office he resigned last year.

Mr. DAVID JOHN HUBBARD, solicitor, of Bucklersbury, City, has been appointed by Mr. Alderman Dakin (Lord Mayor elect) to be clerk to the city ward of Candlewick, in succession to his father, the late Mr. J. J. Hubbard. The new clerk was certificated in 1867, and has performed the duties of ward clerk for his father during the past two years.

Mr. JAMES EDWARD ATTER, solicitor, and town clerk of Stamford, Lincolnshire, has been appointed, by the Town Council of that borough, Clerk to the newly-organised Local Board of Health. Mr. Atter was admitted an attorney in 1864, and, besides the town clerkship, holds the office of coroner for the borough of Stamford.

The Earl of Cork and Orrery has been nominated Chairman of the Court of Quarter Sessions for Somersetshire, in the place of Sir William Miles, Bart., who has resigned.

## FOREIGN TRIBUNALS &amp; JURISPRUDENCE.

## AMERICA.

*Tenancy by Courtesy in New York.*—The New York Supreme Court, in a case of *The matter of Francis M. Winne (an infant)*, reported in the *New York Daily Transcript* of September 21, holds that the estate of tenancy by the courtesy survives to the husband on the decease of his wife, in all her real property to which it would have attached at common law, and over which she has not exercised the power of disposition given by the Married Women's Act of 1848 and 1849.

We learn from the *Chicago Legal Journal* that the Supreme Court of Illinois have decided in a case of *Mosher v. Griffin* (51 Illinois Rep.), that a plaintiff was not entitled to recover for services rendered in training a race-horse, the services being rendered in aiding an act forbidden by statute—viz., gaming,—which horse-racing had been held to be in *Tutman v. Strader* (23 Ill. 494). It made no difference that the race was not run. But the Court held that an action would lie for the shoeing and feeding of the horse, for it would be fed and shod in any case.

In the case of *Robinson v. The International Life Assurance Society of London* (reported in the *New York Daily Transcript* of Sept. 27), the Court of Appeals (New York) holds that the authority of an agent in the State of Virginia, appointed by the general agents and local boards of directors of the company in the city of New York, was not revoked or suspended by the existence of the state of war arising from the rebellion of the Southern States; and that the receipt of Confederate money by such agent, in payment of premiums, was good payment and binding upon the corporation.

## OBITUARY.

## MR. ALDERMAN T. WALMSLEY.

Mr. Thomas Walmsley, barrister-at-law, and an alderman, of Preston, in Lancashire, died at Ashton House, near that town, on the 10th of October, aged sixty-six years. He was the son of Mr. Richard Walmsley, who carried on business as a woollendrapery at Preston about half-a-century ago. In early life he was articled to Mr. William Cross, a local solicitor, but afterwards studied for the higher branch of the profession, and was called to the bar at the Inner Temple in June, 1835. For some years he was a member of the Northern Circuit, practising also at the Preston and Manchester sessions. In 1852 he was elected to represent St. John's Ward in the Town Council of Preston, in succession to Mr. Robert Ascroft, solicitor, who resigned on being appointed town clerk. Immediately after his election Mr. Walmsley was chosen mayor, which position he occupied for a couple of years, when he was re-elected a councillor for the same ward. During his mayoralty public feeling in Preston was in a very excited state in consequence of the lock-out in the cotton trade, but he held the reins of office with a firm hand. He became an alderman in 1855, and was again mayor in 1859-60. In 1840 Mr. Walmsley married the daughter of a London tradesman, and shortly after settled at Preston. Mr. Walmsley leaves no children, and by his demise the direct line of a very old Preston family dies out.

## MR. L. VIGURS.

Mr. Louis Vigurs, barrister-at-law, of Rose-hill, Penzance, died on the 14th October, after a lingering illness. Mr. Vigurs (who was in his fifty-fifth year) studied at Downing College, Cambridge, after which he adopted the legal profession, and was called to the bar at the Inner Temple in June, 1845. He devoted himself to the study of the law relating to railways, and when the West Cornwall Railway was established, he was elected chairman of the Board of Directors of that company, which position he occupied till his death. Mr. Vigurs managed the affairs of the West Cornwall Railway with unusual ability and judgment, and was much respected by his brother directors.

## MR. J. M. BARRET.

Mr. Joseph Morton Barret, solicitor, of Leeds, expired on the 10th of October, at the age of fifty-two years. Mr. Barret was certificated in 1846, and was originally in

partnership with the late Mr. Edward Barret. He was largely employed in the revision courts on behalf of the Liberal party. He was a member of the Yorkshire Law Society, and was also a perpetual commissioner, a commissioner for administering oaths, and a commissioner for taking affidavits.

## SOCIETIES AND INSTITUTIONS.

## SOLICITORS' BENEVOLENT ASSOCIATION.

On Wednesday morning the 12th inst. the half-yearly general meeting of the Solicitors' Benevolent Association was held at the Law Library, Bristol, under the presidency of Mr. W. Strickland Cookson (of London), chairman of the Board of Directors.

The SECRETARY (Mr. T. Eiffe) read the notice convening the meeting, the minutes of the previous meeting, and the report of the directors. The following are extracts from the report:—

"During the half-year terminating on the 30th of September last 75 new members were admitted to the association, making, with those elected during the preceding six months, a total accession of 170 new members within the year—a number in excess of that of last year.

"The association has now 2,117 members enrolled, of whom 732 are life, and 1,385 annual subscribers. 22 life members are also annual contributors to the funds.

"The usual audited abstract of the accounts is appended, from which it will be seen that the receipts during the half-year amount to £2,614 19s. 8d., which, added to those of the preceding six months, give a total of £3,932 9s. 6d. as the receipts during the entire year.

"Included in the receipts of the past half-year is a munificent donation of £1,000 from the executors of the late John Saunders, Esq., of St. Ann's Villa, Burnham, Somersetshire, most kindly appointed to this association by the executors, under a power contained in the will, out of the residuary personal estate placed at their disposal by their testator.

"During the half-year, a sum of £180 has been disbursed in grants to distressed members and the families of deceased members, and a sum of £140 has been distributed in relieving 15 necessitous families of deceased solicitors who were not members of this association. These amounts, with the grants made during the preceding six months, give a total sum of £410 expended within the year in assisting members and their families, and of £295 in relieving the families of deceased solicitors who were not members, making in the whole £705.

"By a resolution adopted at the general meeting in 1862, the relief fund is for the present limited to the amount of the annual dividends of the association. An opinion has been expressed that the time has arrived when this restriction may be wisely removed; and it will be remembered that a suggestion to this effect fell from the Vice-Chancellor Malins while presiding at the last anniversary festival. The directors propose to take the sense of the meeting on this question.

"The funded stock of the association now consists of £7,803 17s. 8d. India Five per Cents., £5,016 1s. 2d. India Four per Cents., £5,071 6s. 4d. Three per Cent. Consols, and £300 London and North Western Railway Four per Cent. Debenture Stock, producing together dividends amounting to £767 per annum.

"At the date of the balance sheet a sum of £1,154 15s. 4d. (£1,000 of which has been since invested) remained to the credit of the association with the Union Bank of London, and £15 was in the Secretary's hands.

"The creation of a special fund, for the purpose of aiding with grants of money in the education of the children of poor solicitors and attorneys being contemplated by some members of the profession, a committee of those gentlemen have addressed a communication to your board, inquiring whether this association would be willing to accept the responsibility of administering such a fund if raised. The object in view is one which commends itself to general sympathy, and there appears to the board to be no reason why this association should hesitate to accept the trust. Should you concur in its expediency, a suitable general rule will be laid before you for adoption at the present meeting."

The CHAIRMAN moved that the report and statement of accounts now read be received. He would not occupy their time long, because he thought they would all be satisfied

from the report of the directors as to the progress which the society had made during the few years it had been in existence, and they would be particularly gratified to find that the society had received during the past year a large addition to its funds from the very excellent practice, which he hoped would be continued, of persons who took an interest in the society during their lives, leaving sums of money on their deaths to augment the funds. There were two subjects mentioned in the report which required consideration. One was the question whether the amount which they would enable the directors to distribute in future years should be limited, as heretofore, to the dividends of invested funds, or whether they would allow them to go beyond that sum, and to expend at least all the annual subscriptions that were paid by members who were annual subscribers. The other question was that which had been brought before them by Mr. Clabon with regard to the administration of a fund for the education of the children of poor and necessitous solicitors.

The resolution that the report be received having been carried,

The CHAIRMAN moved that the report be adopted and circulated, remarking that the questions which he had referred to would be open even if the report was adopted.

The motion was seconded by Mr. SHAEN, and carried.

The CHAIRMAN, in reference to the education fund mentioned in the report, said it did not appear to the directors that it was desirable for the general meeting to go further than the following resolution, which would be submitted for approval:—"The directors shall be empowered in their discretion to accept sums of money from societies or individuals under special trusts to promote the education of the children of necessitous or deceased attorneys, solicitors and proctors, at schools to be selected by their parents or guardians."

Mr. SHAEN (London) had great pleasure in moving the resolution just read. The subject which it dealt with was an important and new one, and deserved serious consideration. The first idea put before them was that they should be empowered to accept sums of money for the purpose of founding some educational establishment for the children of poor necessitous attorneys, solicitors, and proctors; but the more they considered that, the more they felt forced to come to the conclusion that any such idea would be inadmissible. His own opinion was that it was a bad thing to found institutions when it could be well avoided, in which large numbers of orphans or poor people were avowedly brought together; it was more healthy to have them scattered about. If they were to attempt to establish any institution it would be necessary for them to make provision for what should be taught in it. It was obvious, on a moment's reflection, that it would be impossible for the directors in London to draw up a scheme even of secular education—to say nothing of religious education—that would not be strongly opposed to the views of many of the members in various parts of the country. (Hear, hear.) He trusted that the members would enable the directors to accept the extremely generous offer which had been made, with their hearty thanks, and by a unanimous vote.

Mr. Hodge (Newcastle-upon-Tyne) seconded the resolution.

The CHAIRMAN, in reply to Mr. Torr (London), said that Mr. Clabon, in a letter to the secretary, stated that he had already promised to the amount of £750 from nine persons.

Mr. S. WILLIAMS (London) objected to the resolution, on the ground, chiefly, that the objects of such an infant association were sufficient to engage their attention, and difficulties might arise respecting the education of the children of Roman Catholic parents.

The CHAIRMAN said the question was whether they would accept the fund upon trust, to apply it in the largest and most impartial manner possible, for the education of the children of poor and necessitous solicitors. Whenever an application was made, properly supported by any Roman Catholic solicitor, he did not conceive that the directors would be doing their duty if they refused to give a portion of the funds to the object contemplated. All that was at present proposed was to give the directors the power to deal with these funds.

Mr. BANNER (Liverpool) thought as a member of the Church of England that he had no right to interfere with the opinions of others, and if Roman Catholic gentlemen chose to make a contribution to that institution for bringing up their children in the Roman Catholic faith, he

thought the association would be wrong if it did not accept the trust and promote the education of the children of the poorer members. He supported the resolution, and should be happy to subscribe £100 towards the fund.

Mr. H. S. WASBROUGH (Bristol) said he knew no greater boon that could be afforded to a poor and struggling family than that of education. He had had a communication from Mr. Clabon, who stated that several gentlemen had offered to contribute £25 a-year for four years towards the education proposed. As far as he (Mr. Wasbrough) was concerned he should be delighted to subscribe £5 a-year for the same period, and in that way he hoped a considerable sum might be raised towards that excellent object.

Mr. R. A. PAYNE (Liverpool) concurred with the remarks of Mr. Williams, and asked if the directors were prepared to undertake the business in the way proposed, and to keep an account of every child's education at the respective educational establishments.

The Chairman read a letter from Mr. Harris, of Leicester, in opposition to the proposition.

Mr. RYLAND (Birmingham) suggested that an enlargement of the scope of the association in the way proposed would enlist the sympathies of many who had not hitherto become members.

Mr. WHARTON (Manchester) said that if parties were desirous of giving money for a particular purpose they might do so, but there was no necessity for involving the association in disunion.

Mr. BEEVER (Manchester) said that no doubt there were a great many Roman Catholics amongst the members of the association, and he could not see that there would be any more difficulty in giving relief for the education of Roman Catholics than for general purposes.

The discussion was continued by Mr. Field (London), Mr. Bromley (London), Mr. Hodge (Newcastle-upon-Tyne), Mr. Payne (Liverpool), and Mr. Torr (London), and on a division 31 voted for the resolution, and 5 against. The resolution was therefore adopted.

With regard to the other question, that of authorising the directors to grant more in relief than the amount of dividends, Mr. Shaen moved, and Mr. Bromley seconded, that the meeting pass to the next business, and, after some discussion, the resolution was adopted.

Resolutions were passed, thanking the directors and auditors, and re-electing them for the ensuing year, appointing Messrs. Nelson and Wasbrough as trustees, thanking the secretary for his excellent services, and the chairman for presiding over the present meeting.

The names of several gentlemen were announced as new members.

## COURT PAPERS.

### COMMON PLEAS.

#### SHREWSBURY ELECTION PETITION.

Buttriss and others, Petitioners; Straight, Respondent.

An election petition from Shrewsbury was filed on Monday against the return of Mr. Straight, of the Home Circuit.

The petition contains the usual allegations of bribery, treating, and undue influence. The seat is not prayed for.

Agents for the petitioners, Messrs. Wyatt & Heskins, Parliament-street.

Agent for respondent, Mr. F. C. Greenfield, 3, Lancaster-place, Strand.

**DURHAM CHANCERY SITTING.**—The usual custom of holding the Chancery sitting of the Palatinate Court of Durham was observed in that city on the 6th of October. The only matter which came under the notice of the chancellor (Christopher Temple, Esq.), was the passing of the Spearman charity accounts, which did not occupy more than a few minutes. The chancellor took his seat on the bench at noon, the court consisting of E. J. Meynell, Esq., and the Deputy Registrar, Mr. T. Watson. After the conclusion of the proceedings, the Court adjourned to next year, when the same ceremony will be gravely gone through. In former days, and even at the commencement of the present century, the business of the Durham Palatinate Court was very extensive; but modern legislation has transferred it to other courts, and consigned its muniments also to the Record Office of London. Since Mr. Temple was appointed, in 1853, the business, except in one or two instances, never exceeded the annual motion respecting the Spearman charity accounts. For this duty his Honour receives an annual stipend of £100.

## PUBLIC COMPANIES.

## GOVERNMENT FUNDS.

LAST QUOTATION, Oct. 21, 1876.

From the Official List of the actual business transacted.

3 per Cent. Consols, 92½	Annuities, April, '85
Ditto for Account, Nov. 3, 92½	Do. (Red Sea T.) Aug. 1908
3 per Cent. Reduced 91½	Ex Bills, £1000, — per Ct. 9 p m
New 3 per Cent., 91½	Ditto, £500, Do — 9 p m
Do. 3½ per Cent., Jan. '94	Ditto, £100 & £300, — 9 p m
Do. 2½ per Cent., Jan. '94	Bank of England Stock, 4½ per
Do. 5 per Cent., Jan. '73	Ct. (last half-year) 253 x d
Annuities, Jan. '80 —	Ditto for Account,

## INDIAN GOVERNMENT SECURITIES.

India Stk., 10½ p Ct. Apr. '74, 206	Ind. Enf. Fr., 5 p Ct. Jan. '72 100
Ditto for Account	Ditto, 5½ per Cent., May. '79 107½
Ditto 5 per Cent., July, '80 111	Ditto Debentures, per Cent.,
Ditto for Account,	April, '64 —
Ditto 4 per Cent., Oct. '88 100½	Do. Do. 5 per Cent., Aug. '73 103
Ditto, ditto, Certificates, —	Do. Bonds, 4 per Ct., £1000 20 p m
Ditto Enfaced Ppr., 4 per Cent. 91½	Ditto, ditto, under £1000, 20 p m

## RAILWAY STOCK.

Shrs.	Railways.	Paid.	Closing prices.
Stock	Bristol and Exeter .....	100	88
Stock	Caledonian .....	100	76½ x d
Stock	Glasgow and South-Western .....	100	117
Stock	Great Eastern Ordinary Stock .....	100	38
Stock	Do., East Anglian Stock, No. 2 .....	100	7
Stock	Great Northern .....	100	132½
Stock	Do., A Stock .....	100	135
Stock	Great Southern and Western of Ireland .....	100	—
Stock	Great Western—Original .....	100	71
Stock	Lancashire and Yorkshire .....	100	131
Stock	London, Brighton, and South Coast .....	100	43
Stock	London, Chatham, and Dover .....	100	14
Stock	London and North-Western .....	100	129
Stock	London and South-Western .....	100	90
Stock	Manchester, Sheffield, and Lincoln .....	100	45
Stock	Metropolitan .....	100	65
Stock	Midland .....	100	127
Stock	Do., Birmingham and Derby .....	100	96
Stock	North British .....	100	34
Stock	North London .....	100	116
Stock	North Staffordshire .....	100	58½
Stock	South Devon .....	100	48
Stock	South-Eastern .....	100	75
Stock	Taff Vale .....	100	165

\* A receives no dividend until 6 per cent. has been paid to B.

## MONEY MARKET AND CITY INTELLIGENCE.

Early in the week the transactions in the various markets were exceedingly limited. Later on, the reports of negotiations respecting the capitulation of Metz being regarded as opening some prospect of peace, operated as a stimulus. Since then the improvement has been maintained, the funds have made an advance, the railway market maintains firm prices, and in foreign securities there has been a general rise. It is noticeable that some cause, probably the rumours of Russian armaments, has operated to prevent the Indian guaranteed railway stocks from recovering in price to the extent which might have been anticipated by analogy to the movements of other investments.

The Bellavista Silver Mining Company (Limited) is announced, capital £30,000 in £1 shares, the object being to re-work some mines on a property about thirty leagues from the port of Huacho. The offices are at 8, Old Jewry, E.C.

Mr. Richard Munkhouse Wilson, solicitor, of Salisbury (firm, Wilson, Thring & Nodder), has resigned the corneriship of that borough, which office he has held for the space of thirty-five years.

Mr. Edward Romilly, late chairman of the Board of Audit, died at Porthkerry, Glamorganshire, on the 12th of October, in his sixty-sixth year. He was a younger brother of Lord Romilly Master of the Rolls, being the third son of Sir Samuel Romilly.

Mr. William Marsh, High Bailiff of the Wirksworth County Court, Derbyshire, died on the 14th of October, in his sixty-ninth year. Mr. Marsh had been connected with the county court for thirty years.

The Bishop Stortford County Court has been transferred from the Hertford and Essex district to that of Cambridge, and the Hitchin County Court, formerly a part of the Cambridge Circuit, has been added to the Essex district.

The County Court at Hitchin, Herts, has been withdrawn from Circuit No. 35 (of which Mr. Beales has just been appointed Judge), and added to Circuit No. 33, the Judge of which is William Gurnard.

Under the altered circumstances of the Australian Colonies owing to the withdrawal of her Majesty's troops, the Chief

Justice, or the senior judge for the time being, will in future administer the government during the absence of the governor, or assume the office in case of a sudden vacancy.

**GREENWICH.**—A special meeting of the vestry of the parish of Greenwich was held on the 14th of October, for the purpose of presenting to Mr. Edward Woolford James, solicitor, and late vestry clerk of the parish, a copy of a complimentary resolution passed at a meeting held on the 18th of March last, when his resignation of the office of vestry clerk was received. The resolution was illuminated on vellum, and contained in a massive gilt frame.

**HOLBORN BOARD OF GUARDIANS.**—Mr. E. W. James, solicitor, of Ely-place, Holborn (firm, James, Curtis, & James), has resigned the clerkship of the Holborn Board of Guardians. Mr. James said that his health had failed, and he must persevere in his resignation. For the last fifteen months he had devoted himself without stint to his duties, but the Poor Law Board expected a man of his years and experience to devote the whole of his time to the duties of clerk for £400 a-year, and would not allow a staff sufficient to carry out the duties. In a neighbouring union, where the clerk was not a solicitor, and the duties not so heavy, the Poor Law Board allowed a salary half as large again, and a sufficient staff.

**A COURT OF LIMITED JURISDICTION.**—A Michigan judge is reported to have pronounced the following sentence upon a prisoner convicted before him:—Judge. Stand up, prisoner, at the bar. Prisoner, how old are you? Prisoner. Fifty-three years, five months, and twenty days. Judge (after some calculations). Prisoner, I sentence you to hard labour in the state prison for sixteen years, six months, and ten days. This brings you to seventy years, beyond which my jurisdiction don't extend. Sheriff, remove the prisoner!—*The Bench and Bar (Chicago).*

## BIRTHS, MARRIAGES, AND DEATHS.

## BIRTHS.

**BARKER.**—On Oct. 16, at 11, St. Peter's-square, Hammersmith, the wife of Henry Charles Barker, solicitor, of a son.

**GREEN.**—On Oct. 12, at 68, Kensington-park-road, Notting-hill, the wife of Frank H. Green, Esq., solicitor, of a son.

**HART.**—On Oct. 13, at 48, Charlewood-road, Putney, the wife of Robert Hart, of Chancery-lane, solicitor, of a daughter.

**WOTHERSPOON.**—On Monday, Oct. 10, at 18, Blenheim-crescent, Notting-hill, the wife of C. Grey Wotherhood, of the Middle Temple, Esq., barrister-at-law, of a daughter.

## MARRIAGES.

**COLEMAN—BUTT.**—On Oct. 18, at St. Mark's Church, Gloucester, Mr. John Hall Coleman, of Gloucester, solicitor, to Mary Clara, eldest daughter of John M. Butt, Esq., of Kingsholm, Gloucester.

**FELLOWS—JAMES.**—On Oct. 13, at Otterburn, Henry Fellows, Esq., of Beeston, Nottinghamshire, and Lincoln's-inn, barrister-at-law, to Emily Hope, only daughter of Thomas James, Esq., of Otterburn Tower, Northumberland.

**KAYE—ASTELL.**—On Oct. 13th, at Carey, Lincolnshire, Joseph Kaye, Esq., one of the Masters of H. M. Court of Common Pleas, to Mary St. Quintin, eldest daughter of Henry G. Astell, Esq., late of H. C. Bengal Civil Service.

**LUCAS—ALBERY.**—On Oct. 12, at Midhurst, James Lucas, Esq., of Midhurst, solicitor, to Mary, only child of Edwin Alber, Esq., of the same place, solicitor.

**STEBBING—PIDGEON.**—On Oct. 1, at St. Peter's, Kensington-park, William Stebbing, Esq., barrister-at-law, to Anne Pinckard, youngest daughter of J. S. Pidgeon, Esq., of Penbridge-villas, Bayswater.

## DEATHS.

**DRYDEN.**—On Oct. 13, at Writtle Vicarage, after a short illness, Erasmus Henry Dryden, solicitor, of Hull, aged 47.

## LONDON GAZETTES.

## Winding up of Joint-Stock Companies.

FRIDAY, Oct. 14, 1876.

UNLIMITED IN CHANCERY.

**Nevada Freehold Properties Trust.**—Petition for winding up, presented Oct. 11, directed to be heard before Vice-Chancellor Malins on the next petition-day of Michaelmas Term. Bellamy & Strong, Bishopsgate-street Within, solicitors for the petitioners.

LIMITED IN CHANCERY.

**Cornish Granite Company (Limited).**—Petition for winding up, presented Oct. 11, directed to be heard before the Master of the Rolls on Nov. 5. Lowther & Co, Fenchurch-street, solicitors for the petitioners.

TUESDAY, Oct. 18, 1876.

UNLIMITED IN CHANCERY.

**Durham County Permanent Benefit Building Society.**—Lord Justice James has, by an order dated Oct. 6, ordered that the above company be wound up. Lewis & Co, Old Jewry, for Oliver & Bortrell, derand, solicitors for the petitioners.

## LIMITED IN CHANCERY.

**Universal Private Telegraph Company (Limited).**—Petition for winding up, presented Oct. 13, directed to be heard before the Master of the Rolls on Nov. 3. Fox, Chancery-lane, for Earle & Co, Manchester, solicitors for the petitioners.

## STANNARIES OF CORNWALL.

**Wheal Hope Mining Company.**—Petition for winding up, presented Aug. 23, directed to be heard before the Vice-Warden, at the Princes Hall Truro, on Wednesday, Nov. 9, at 12-30. Affidavits intended to be used at the hearing, in opposition to the petition, must be filed at the Registrar's Office, Truro, on or before Nov. 5, and notice thereof must, at the same time, be given to the petitioner or his solicitor or agent. Paul, Truro, solicitor for the petitioner; Moon, Lincoln's-inn, Agent.

**Wheal Rose Mining Company.**—Petition for winding up, presented Aug. 23, directed to be heard before the Vice-Warden, at the Princes Hall, Truro, on Wednesday, Nov. 9, at 12. Affidavits intended to be used at the hearing, in opposition to the petition, must be filed at the Registrar's Office, Truro, on or before Nov. 5, and notice thereof must, at the same time, be given to the petitioners, or their solicitor or agent. Paul, Truro, solicitor for the petitioners; Childs & Batten, Coleman-street, Agents.

## Creditors under Estates in Chancery.

Last Day of Proof.

FRIDAY, Oct. 14, 1870.

Gorst, Robt, Salford, Lancashire, Varnish Manufacturer. Dec. 6. Ry-lance & Gorsst, Registrar of Manchester.

## Creditors under 22 &amp; 23 Viet. cap. 35.

Last Day of Claim.

FRIDAY, Oct. 14, 1870.

Adams, Robert McWilliams, Manch, Cabinet Maker. Dec 1. Orton, Manch.  
Anderson, John, Lpool, Licensed Victualler. Nov 1. Tyndall, Lpool.  
Bill, Louisa, Blackheath-park, Kent, Widow. Nov 10. Leman & Co, Lincoln's-inn-fields.  
Blackburn, Geo, Lower Edmonton, Gent. Nov 30. Carpenter, Bra-ham-st, Philpot-lane.  
Bucknell, Geo, Middle Chinnock, Somerset, Yeoman. Nov 15. James, Crewkerne.  
Davis, Lewis, Gloucester-gardens, Paddington, Esq. Jan 1. Druce & Co, Billiter-st.  
Filiott, Edward Sleat, Christchurch, Southampton. Nov 22.  
Farmer, Fras, Long Sutton, Somerset, Yeoman. Nov 12. Clarke & Lukin, Chard.  
France, Richard, Pleasley, Salop, Esq. Dec 1. Edwards, Shrewsbury.  
Haddenby, Walter, Redness, York, Surgeon. Nov 30. England & Son, Goolse.  
Hensch, Fredk, Wimbeldon-common, Esq. Dec 13. Dawes & Sons, Angel-ct, Throgmorton-st.  
Larby, Lucy, Mary-st, Shepherd's-bush. Nov 28. Wilson, Gt James-st Bedford-row.  
Moore, John Thos, Portsmouth, Assistant Surgeon, R.N. Nov 12. Woodhead & Co, Charing-cross.  
Nelson, David, Carlisle, Gent. Dec 1. Wright, Carlisle.  
Nixey, Wm Geo, Soho-sq, Black Lead Manufacturer. Nov 24. Fuller, & Saltwell, Regent-st.  
Forces, Wm, Birm, Glass and Lead Merchant. Jan 12. Catlarns & Co, Park-lane.  
Peck, Wm, Balham-hill, Surrey, Esq. Dec 8. Downing, Basinghall-st.  
Preston, Wm, Park-rd, St John's-wood, Esq. Dec 1. White, South-ampton-st, Bloomsbury.  
Shipway, Sarah, Worcester, Widow. Dec 25. Griffiths, Cheltenham.  
Shoppee, Joseph, Uxbridge, Middlesex, Builder. Dec 25. Woodbridge & Sons, Uxbridge.  
Smith John, Littlemore, Oxford, Farmer. Nov 14. Wash, Oxford.  
Wright, Robert Holmes, Lambourne, Essex, Gent. Dec 1. Webb & Spencer, Birm.

TUESDAY, Oct. 18, 1870.

Armstrong, John, Wells, Somerset, Gent. Dec 1. Hillyer & Fen-wick, Fenchurch-st.  
Bunn, John, Wakefield, York, Builder. Nov 19. Ianson & Co, Wake-field.  
Butler, Olding, Boughton-under-Bloan, Gent. Nov 30. Johnson, Faversham.  
Church, Hannah, Harlow-common, Essex, Spinster. Nov 29. Steward, Lasey-st, Barnsbury.  
Clark, Thomas, Southampton, Grocer. Nov 30. Perkins, Southamp-ton.  
Emerson, Jas Alexander, Paris, France. Nov 15. Morrell & Son Oxford.  
Dixon, Mary, Clifton, York, Widow. Nov 15. Newton & Co, York.  
Dundas, John, John-st, Hampstead, Surveyor. Nov 26. Yeo & Warner, Hart-st, Bloomsbury-sq.  
Freeman, Fredk Peere Wms, Greatham, Sussex, Esq. Dec 10. Birch & Co, Lincoln's-inn-fields.  
Hawkins, Hy Kynnersley, Uttoxeter, Stafford, Gent. Dec 1. Pass & Jennings, Burton-on-Trent.  
Hay, Mary, Grosmit Haggis, York, Widow. Dec 13. Gray & Pannett, Whitby.  
Kansel, Geo Barclay, Garden-ct, Middle Temple, Barrister-at-Law. Dec 13. Lawrie & Keen, Dean's-ct, Doctors'-commons.  
Kerks, Wm, Handsworth, Stafford, Gent. Dec 31. Reece & Harris Birm.  
Shuffelbottom, John, Hanley, Stafford, Grocer. Nov 12. Challinor, Hanley.  
Stratton, John Chas, Mortlake, Surrey, Civil Engineer. Nov 7. Bailey & Co, Berners st.  
Thomas, Res, Cefnecedymmer, Brecknock, Postman. Nov 12. Linton & Lewis, Aberdare.  
Thomas, Richard, Comprigney, Cornwall, Gent. Jan 31. Thomas, Penzance.  
Vernan, Right Hon. Sophia Eliz, Thame, Oxford, Baroness. Nov 30.  
Meynell & Pemberton, Whitehall-pl.

## Bankrupts

FRIDAY, Oct. 14, 1870.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar. To Surrender in London.

Brown, Robt, Smith st, Mile End, Draper. Pet Oct 13. Brougham Oct 24 at 1.  
Garbanati, Paul Chas, Glasshouse-st, Regent-st, Carver. Pet Oct 13. Brougham. Oct 28 at 12.  
Holliman, John Edwd, Essex-rd, Islington, Grocer. Pet Oct 10. Hazlitt. Oct 27 at 12.  
Webster, Hy, Litchfield-st, Soho, Leather Bag Manufacturer. Pet Oct 11. Brougham. Oct 27 at 1.

To Surrender in the Country.

Bagge, Herbert, King's Lynn, Norfolk, Gent. Pet Oct 12. Partridge King's Lynn, Oct 25 at 12.  
Barwis, Chas, Blackpool, Lancashire, Hotelkeeper. Pet Oct 11. Myres. Preston, Oct 28 at 3.  
Bassett, Benj, jun, Barcombe, Sussex, Farmer. Pet Oct 10. Blaker. Lewes, Oct 28 at 12.  
Cottrell, Joseph, Greenwich, Kent, Saddler. Pet Oct 10. Bishop. Greenwich, Oct 28 at 12.  
Field, Ellis Newstead, Kelling, Norfolk, Farmer. Pet Oct 11. Palmer. Norfolk, Oct 29 at 12.  
Green, Wm, Birkenhead, Cheshire, Draper. Pet Oct 11. Wason. Birkenhead, Oct 27 at 11.  
Hulme, Matthew, & John Hulme, Farnworth, Lancashire, Ironfounders. Pet Oct 12. Holden. Bolton, Oct 26 at 10.  
Kimber, Richd Hisey, Turville, Bucks, Farmer. Pet Oct 12. Watson. Aylesbury, Nov 1 at 11.  
Legg, Fredk, Cardiff, Glamorgan, India-rubber Dealer. Pet Oct 10. Langley. Cardiff, Oct 25 at 11.  
Needham, Johnson, Brentford, Middx, Draper. Pet Oct 11. Ruston. Brentford, Oct 22 at 1.  
Taylor, Joseph, Kenilworth, Warwick, Scrivener. Pet Oct 11. Camp-bell. Warwick, Oct 25 at 2.  
Tomkins, Wm, Plumstead, Kent, General Dealer. Pet Oct 12. Bishop. Greenwich, Oct 31 at 1.  
Wood, Geo, Hanley, Stafford, Grocer. Pet Oct 6. Challinor. Hanley, Oct 24 at 3.  
Yardley, John, Hazleshaw, nr Wortley, York, Publican. Adj Oct 3. Wake. Sheffield, Oct 27 at 1.

TUESDAY, Oct. 18, 1870.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar. To Surrender in London.

Bartens, Fritz, Strand, Leather Bag Manufacturer. Pet Oct 14. Hazlitt. Nov 1 at 11.30.  
Newman, John Fredk, Threadneedle-st, Licensed Victualler. Pet Oct 14. Hazlitt. Nov 1 at 11.  
Taylor, Thos Palmer, Drury-lane, Strand, Chemist. Pet Oct 13. Brougham. Nov 7 at 11.

To Surrender in the Country.

Baskerville, Chas, Exeter, Licensed Victualler. Pet Oct 17. Daw. Exe-ter, Oct 29 at 11.  
Buxton, Geo, Tideswell, Derby, Coal Agent. Pet Oct 13. Weller. Derby, Nov 1 at 12.  
Minshull, John Robt, Llandudno, Carnarvon, Innkeeper. Pet Oct 13. Jones. Bangor, Nov 1 at 11.  
Oldham, Thos, King's Lynn, Norfolk, Draper. Pet Oct 13. Partridge. King's Lynn, Nov 2 at 12.  
Robson, John Thos, Easington-lane, Durham, Draper. Pet Oct 12. Greenwood. Durham, Oct 31 at 3.  
Schar, Jonathan, Leeds, Soap Manufacturer. Pet Oct 14. Marshall. Leeds, Nov 2 at 11.  
Scott, John Michael, Newcastle-upon-Tyne, Butcher. Pet Oct 13. Mor-timer. Newcastle, Nov 1 at 11.  
Smith, Thos, Worcester, no occupation. Pet Oct 13. Crisp. Worcester, Oct 31 at 11.  
Syers, Geo Augustus Fredk, Anerley-grove, Upper Norwood. Pet Oct 12. Howland. Croydon, Nov. 4 at 12.  
Talbot, John Stewart Shreve, Newport Pagnell, Bucks, Farmer. Pet Oct 13. Dennis. Northampton, Oct 29 at 10.

## BANKRUPTCIES ANNULLED.

FRIDAY, Oct. 14, 1870.

Stedman, John, Thornton-heath, Croydon. Oct 11.

TUESDAY, Oct. 18, 1870.

Down, John, Mere, Wilts, Blacksmith. Oct 14.  
Lovell, Thos, China-walk, Lambeth, Messenger. Oct 14.  
Myatt, John, Stafford, Grocer. Oct 11.

GRESHAM LIFE ASSURANCE SOCIETY  
37, OLD JEWRY, LONDON, E.C.

SOLICITORS are invited to introduce, on behalf of their clients, Proposals for Loans on Freehold or Leasehold Property, Reversions, Life Interests, or other adequate securities.

Proposals may be made in the first instance according to the following form:—

## PROPOSAL FOR LOAN ON MORTGAGES.

Date.....  
Introduced by (state name and address of solicitor)  
Amount required £  
Time and mode of repayment (i.e., whether for a term certain, or by annual or other payments)  
Security (state shortly the particulars of security, and, if land or build-ings, state the net annual income)  
State what Life Policy (if any) is proposed to be effected with the Gresham Office in connection with the security.  
By order of the Board,  
F. ALLAN CURTIS, Actuary and Secretary.

Second Edition, with an Introduction explaining the modifications from the existing law.

### POCKET EDITION OF THE NEW STAMP ACTS.

Post 8vo, Cloth lettered, price One Shilling, or by post for Fourteen Stamps.  
London: WATERLOW & SONS, 24 and 25, Birch-lane, E.C.; 65 to 68, London Wall, E.C.; 49, Parliament-street, S.W.

**NEW EDITION OF COX AND SAUNDERS'S CRIMINAL LAW CONSOLIDATION ACTS**, with all the cases decided on their construction, all the subsequent Criminal Statutes to this time, Introductory Chapters by Mr. Serjt. Cox on the Principles of Punishment, and the Forfeiture for Felonies Act; and by C. S. Greaves, Esq., Q.C., on the Law of Arrest without Warrant, and the Law as to Attempts to Commit Crimes; a Table of Crimes and their Sentences, and a copious Index. Third edition. By EDWARD W. COX, S.L., Recorder of Portsmouth, and T. W. SAUNDERS, Barrister-at-law, Recorder of Bath. Price 15s. "Law Times" Office, 10, Wellington-street, Strand.

### BANKRUPTCY FORMS & BOOKS.

All the Prescribed Forms are Published and supplied by  
**KNIGHT & CO., 90, Fleet Street, London, E.C.**  
Orders are Executed by return of Post.

1s. 6d. Per Quire  
**POST FREE.**

*Lists & Specimens on Application.*

### CRACROFT'S INVESTORS' RECORD OF PURCHASES AND SALES with CALCULATION TABLES, Adapted to Every Investment.

\* The object of this Memorandum Book is to enable every Investor to keep a systematic Record, producible in a Court of Law, of every investment transaction entered into. No such record was in existence and the want of it was often felt by Executors and Administrators.

Price 15 shillings.

### CRACROFT'S BANK DIVIDEND CHART.

Showing the Rate of Dividend per Annum, and last Half-yearly Dividend, for the year 1869-70, declared by One Hundred and Sixty-four Joint Stock Banks of the United Kingdom, with Nominal and Paid-up Capital, Number of Shares, and Amount Paid up, Date of Payment of Dividends, Reserve Fund, Liabilities, Net Profits, Current Expenses, Market Price per Share, January, 1870, and Yield on Purchase Price. By BERNARD CRACROFT, Sworn Broker.

Price 2s. 6d.; or mounted 10s. 6d.

London: EYFINGHAM WILSON, Publisher, Royal Exchange.

### The Companies Acts, 1862 & 1867.

Every requisite under the above Acts supplied on the shortest notice.

The BOOKS AND FORMS kept in stock for immediate use MEMORANDA AND ARTICLES OF ASSOCIATION speedily printed in the proper form for registration and distribution. SHARE CERTIFICATES engraved and printed. OFFICIAL SEALS designed and executed. No charge for sketches. Companies Fee Stamps. Railway Registration Forms.

### Solicitors' Account Books.

#### ASH & FLINT,

Stationers, Printers, Engravers, Registration Agents, &c., 49, Fleet-street, London, E.C. (corner of Serjeants'-inn).

Price 1s., post free.

**THE SOLICITORS' JOURNAL CONVEYANCERS' STAMP DUTIES.** By FREDERICK STROUD, Solicitor, Author of "The County Court Practice in Bankruptcy," "The Practical Law of Bills of Sale," &c.

London: 12, Cook's-court, Carey-street.

**THE LAW OF TRADE MARKS**, with some account of its History and Development in the Decisions of the Courts of Law and Equity. By EDWARD LLOYD, Esq., of Lincoln's-inn, Barrister-at-law. Price 3s.

"I am indebted to the very valuable little publication of Mr. Lloyd, who has collected all the authorities on this subject."—V.C. Wood, in "McAndrew v. Bassett," March 4.

12, Cook's-court, Carey-street, W.C.

In one volume, crown 8vo, price 3s.

**A TREATISE ON THE ENGLISH LAW OF DOMICIL.** Dedicated, by permission, to Vice-Chancellor Sir Richard Torin Kindersley. By OLIVER STEPHEN ROUND, of Lincoln's-inn, Barrister-at-law.

London: 12, Cook's-court, Carey-street, W.C.

**ROYAL POLYTECHNIC.**—Professor Pepper's New Entertainment, exhibiting the effects and describing the various modes of causing GHOSTS of human beings to appear and disappear at pleasure, crawl, walk, leap, and dance on walls and ceilings, or float in space. Fairy gambols, children dancing on the sides of walls and romping about the ceiling like flies. The whole illustrated and explained daily at quarter to 3 and quarter to 5.—Mr. Suetet Champion's Musical Notes from the Opera of "DER FREISCHUTZ."—Sand and the Suez Canal.—American Organ Daily.—The whole for 1s.

1870.

### ATLANTIC and GREAT WESTERN RAILWAY.

—OFFICIAL SCHEME of RE-ORGANISATION, dated May 18, 1870.—In compliance with a resolution of the Committee of the London Stock Exchange, upon granting an official quotation for Messrs. Bischoffsheim and Goldschmidt's Certificates, the LISTS for the RECEIPT OF BONDS and DEBENTURES on deposit for conversion will be RE-OPENED on MONDAY, the 31st instant, and will continue open until SATURDAY, November 5, when they will be finally closed, prior to which date all persons wishing to become parties to the New Company must bring in their securities. L. J. WOODMAN, Secretary.

London Offices, 5, Westminster-chambers,  
Victoria-street, London, S.W.

### THE NEW BANKRUPTCY COURT

Is only a few minutes' walk from

### CARR'S, 265, STRAND.

"If I desire a substantial dinner off the joint, with the agreeable accompaniment of light wine, both cheap and good, I know only of one house, and that is in the Strand, close to Dame Lane. There you may wash down the roast beef of old England with excellent Burgundy, at two shillings a bottle, or you may be supplied with half a bottle for a shilling."—All the Year Round, June 18, 1864, pag. 440.

The new Hall lately added is one of the handsomest dining rooms in London. Dinners (from the joint), vegetables, &c., 1s. 6d.

LONDON GAZETTE (published by authority) and LONDON and COUNTRY ADVERTISEMENT OFFICE.

No. 117, CHANCERY LANE, FLEET STREET.

**HENRY GREEN** (many years with the late George Reynell), Advertisement Agent, begs to direct the attention of the Legal Profession to the advantages of his long experience of upwards of twenty-five years, in the special insertion of all pro forma notices, &c., and hereby solicits their continued support.—N.B. One copy of advertisement only required, and the strictest care and promptitude assured. File of "London Gazette" kept for reference.

### THE WIDOW OF A SOLICITOR makes an urgent

APPEAL to the Members of the Profession. Left in 1867 with a large family of young children unprovided for, she has endeavoured to earn a living for them with only partial success. She is now in arrears for rent and taxes, and most earnestly begs for a little help to enable her to keep a home for her fatherless children. The most unexceptionable references can be given.—Address, J. S. P., 25, Clifton-road, Dalston.

**WESTMINSTER.**—Victoria Chambers, Victoria-street.—Handsome suites of well-lighted CHAMBERS on the ground to fourth floors, to be LET, at rents ranging from £25 to £80 per room. These Chambers are now within five minutes ride of the Temple, and ten of the City by the new Underground Railway, and are well adapted to professional and residential purposes.

### THE NATIONAL SOCIETY FOR AID TO THE SICK AND WOUNDED IN WAR.

President—H.R.H. the Prince of WALES, K.G., &c.

Chairman of Committee—Lieut.-Colonel LOTH-LINDSAY, V.C., M.P.  
Donations of £5 (payable to Messrs. Coutts & Co., Strand), or Annual Subscription of 5s. (payable to the Secretary) constitute membership.

C. J. BURGESS, Secretary.

2, St. Martin's-place, Trafalgar-square, London.

**MILNER'S STRONG HOLDFAST and FIRE-RESISTING SAFES**, Strong Room Doors, &c., with all the recent improvements. Price Lists, Drawings, and Testimonials free by post.—Liverpool, Manchester, Sheffield, and 47a, Moorgate-street, City, London.

### LIEBIG COMPANY'S EXTRACT OF MEAT. FOUR GOLD MEDALS.

CAUTION.—Require Baron Liebig's signature on every Jar and Tin. 5lb. Tins supplied in enormous quantities to both French and German troops in the field, and this size specially recommended to Relief Committees.

A large Discount for Cash.

**BILLS of COMPLAINT**, 5/6 per page, 20 copies, subject to a Discount of 20 per cent. for cash; being at the rate net of 4/6 per page—a lower charge than has hitherto been offered by the trade.

YATES & ALEXANDER, Printers, Symonds-inn, Chancery-lane.

**PRINTING of EVERY DESCRIPTION**, Plain and Ornamental—Newspapers, Books, Pamphlets, Prospectuses, Circulars, &c.—with promptitude and at moderate charges, by

YATES & ALEXANDER, Symonds-inn (and Church-passage), Chancery-lane.

**AUTHORS ADVISED** with as to the Cost of Printing and Publishing, and the Cheapest Mode of Bringing out MSS.

YATES & ALEXANDER, Printers, 7, Symonds-inn, Chancery-lane.